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ATTENTION: GOVERNMENTAL
RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE REQUESTED

PATENT

Customer No. 22,852

Attorney Docket No. 08702.0065-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Edward La Vallie and Lisa Racie

Application No.: 08/848,439

Filed: May 8, 1997

For: HUMAN SDF-5 PROTEIN AND
COMPOSITIONS

Group Art Unit: 1642

Examiner: S. Ungar

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE UNDER 37 CFR 1.116

This is response to the Office Action mailed October 10, 2001. A Request for a Three Month Extension and the required fee accompany this Amendment resetting the date for response to April 10, 2002.

REMARKS

Claims 1-17 are presently in the application. A Notice of Appeal is filed herewith. Applicants respectfully request reconsideration and allowance of the pending claims.

Rejections Under 35 USC § 101

The Examiner maintains the rejection of Claims 1-17 because the claimed invention is not supported by a specific asserted utility, well established utility or a substantial utility. The Examiner contends that although utilities are asserted the

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

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